
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

JEFFERY RUSSELL FINLAYSON,

Petitioner,

v.

STATE OF UTAH,

Respondent.

**MEMORANDUM DECISION &
DISMISSAL ORDER**

Case No. 2:16-CV-880-RJS

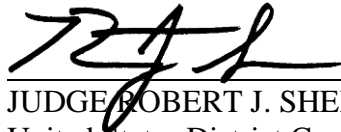
District Judge Robert J. Shelby

On September 7, 2017, this Court ordered Petitioner to within sixty days consult with his counsel in an older habeas case, *Finlayson v. Utah*, 2:15-CV-818 DAK (D. Utah Nov. 18, 2015), “to determine whether the issues and motions in this case may be incorporated into the older case and notify the Court as to whether he considers this case still necessary as a separate filing.” Petitioner has not responded. Indeed, the Court has not heard from Petitioner in this case since he filed a motion for preliminary injunction on January 12, 2017. (Docket Entry # 6.) The motion was denied on September 7, 2017. (*Id.* # 7.)

IT IS THEREFORE ORDERED that Petitioner's action is DISMISSED for failure to obey to the Court's order and to prosecute this case. *See* Fed. R. Civ. P. 41(b); *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-31 (1962); *Olsen v. Mapes*, 333 F.3d 1199, 1204 n.3 (10th Cir. 2003). This case is CLOSED.

DATED this 18th day of December, 2017.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'R. J. Shelby', is written over a horizontal line.

JUDGE ROBERT J. SHELBY
United States District Court